

Application No.: 10/804,199

REMARKS

Claims 3-7, 10-19, 26, and 27 are pending in this application, with claims 3, 4, 10, 11, 26, and 27 being independent. Claims 26-27 are withdrawn. Claims 1, 2, 8, 9, and 20-25 have been previously canceled without the prejudice or disclaimer of the subject matter. Claims 3, 4, 10, and 11 have been amended. Favorable reconsideration of the application in light of the foregoing amendments and following comments is respectfully solicited.

As a preliminary matter, Applicants thank Examiner Popham for the thoughtful courtesies and kind treatment afforded to Applicants' representative, Babak Akhlaghi, during the telephonic interview conducted on February 3, 2009. This response reflects the substance of the interview.

Claim Objections

During the interview, Examiner Popham requested that Applicants further amend claim 3 to clarify the claimed subject matter. In particular, Examiner Popham pointed out that at one point claim 3 recites

switching to a process for reproducing the content with a restriction when it is determined that the content cannot be reproduced as a three-dimensional stereoscopic image.

And, at a later point, it recites

the process for reproducing the content with a restriction is a process for reproducing the content as a three-dimensional stereoscopic image using the unencrypted image data which correspond to at least two viewpoints.

The Examiner suggested that these two recitations may be contradictory because at one point it is asserted that the content *cannot* be reproduced as a three-dimensional stereoscopic image and at later point it is asserted that the content *can* be reproduced as a three-dimensional stereoscopic

Application No.: 10/804,199

image. Although Applicant believe that the language of the claim is clear, to advance prosecution, Applicants have further amended claim 3 to overcome this objection.

Claim Rejections - 35 U.S.C. § 103

Claims 3, 4, 10, and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication Number 2002/0122585 ("Swift") in view of U.S. Patent Number 6,937,730 ("Buxton"). Applicants respectfully traverse this rejection for at least the following reasons.

During the interview, Examiner Popham agreed that Applicants likely overcome the pending rejection of claim 3 if it is amended to recite a three-dimensional image displaying method, wherein when the three-dimensional stereoscopic image content contains multiple image data which correspond respectively to multiple viewpoints and the multiple image data includes unencrypted image data which include at least two viewpoints and encrypted image data which include one or more different viewpoints, the process for reproducing the content with a restriction is a process for reproducing a part of the content as a three-dimensional stereoscopic image using the unencrypted image data which include at least two viewpoints. In reliance on this indication, Applicants have amended claim 3 to include the above-recited feature. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection.

For at least the foregoing reasons, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 3. Claim 10 has been amended to include features similar to the above-recited features of claim 3. Therefore, for at least the reasons presented above with respect to claim 3, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 10.

Application No.: 10/804,199

Claim 4 recites a three-dimensional image displaying method, wherein when the three-dimensional stereoscopic image content contains original stereoscopic multiple image data which correspond respectively to multiple viewpoints and other stereoscopic multiple image data which correspond respectively to the multiple viewpoints, the process for reproducing the content with a restriction is a process for adding the respective other stereoscopic image data to the respective original stereoscopic image data for the respective viewpoints so as to generate stereoscopic new multiple image data which correspond respectively to the multiple viewpoints and reproducing the content as a three-dimensional stereoscopic image using the generated new stereoscopic multiple image data in such a manner that another three-dimensional stereoscopic image appears in front of the range where an original three-dimensional stereoscopic image can be observed, as recited in claim 4.

To provide context, in one non-limiting implementation, the application describes on page 26, line 12 to page 27, line 1 that

In Step S504 a logo image data is added to each of the four image data, which correspond respectively to the viewpoints 1 through 4. Then they are synthesized to generate one piece of 3D stereoscopic image data. Adding a logo image data to each of the four image data, which correspond respectively to the viewpoints 1 through 4, results in newly generating the four image data 702, which correspond respectively to the viewpoints 1 through 4 as shown in Fig. 21C, by adding the logo image 701 as shown in Fig. 21B to each of the four image data 700, which correspond respectively to the viewpoints 1 through 4 as shown in Fig. 21A. By synthesizing the four new image data 702, which correspond respectively to the viewpoints 1 through 4, as shown in Fig. 22 a 3D stereoscopic image data is generated in which a 3D logo image appears in front of the range where the original 3D stereoscopic image can be observed.

Applicants respectfully submit that Buxton and Swift fail to describe or suggest the above-recited feature. In particular, Buxton and Swift fail to describe or suggest a three-dimensional image displaying method, wherein when the three-dimensional stereoscopic image

Application No.: 10/804,199

content contains original stereoscopic multiple image data which correspond respectively to multiple viewpoints and other stereoscopic multiple image data which correspond respectively to the multiple viewpoints, the process for reproducing the content with a restriction is a process for adding the respective other *stereoscopic* image data to the respective original *stereoscopic* image data for the respective viewpoints so as to generate *stereoscopic* new multiple image data which correspond respectively to the multiple viewpoints and reproducing the content as a three-dimensional stereoscopic image using the generated new *stereoscopic* multiple image data in such a manner that another three-dimensional stereoscopic image appears in front of the range where an original three-dimensional stereoscopic image can be observed, as recited in claim 4.

The Office Action concedes that Swift fails to describe the above-recited features. *See e.g.*, Office Action at page 5, lines 1-8. However, the Office Action asserts that Buxton describes these features. *See e.g.*, Office Action at page 5, lines 9-22. Applicants disagree.

Buxton describes a method for masking digital content that is being broadcasted to receivers in a communication system. Buxton at Abstract. The method manipulates the content itself, via masking operation, to provide different level of access to content that may be, for example, too sensitive or objectionable. *Id.* For example, the method enables the broadcaster to broadcast a different version of a movie (e.g., NC-17, R and PG13) by employing such a masking operation. Buxton at col. 8, lines 34-47. The mask may be “a distorted or opaque two dimensional (2D) region (for video content), or a replacement audio segment (for audio content), or a distorted or opaque three dimensional (3D) volume (for 3D content).” Buxton at Abstract.

As such, Buxton generally describes a method for applying a mask to content. However, Buxton does not describe a process for reproducing content as a three-dimensional *stereoscopic*

Application No.: 10/804,199

image rather describes reproducing masked content as *normal* three-dimensional image or two-dimensional image.

Accordingly, Buxton fails to describe or suggest a three-dimensional image displaying method, wherein when the three-dimensional stereoscopic image content contains original stereoscopic multiple image data which correspond respectively to multiple viewpoints and other stereoscopic multiple image data which correspond respectively to the multiple viewpoints, the process for reproducing the content with a restriction is a process for adding the respective other stereoscopic image data to the respective original stereoscopic image data for the respective viewpoints so as to generate stereoscopic new multiple image data which correspond respectively to the multiple viewpoints and reproducing the content as a three-dimensional stereoscopic image using the generated new stereoscopic multiple image data in such a manner that another three-dimensional stereoscopic image appears in front of the range where an original three-dimensional stereoscopic image can be observed, as recited in claim 4.

Furthermore, the combination of Buxton and Swift also fails to describe or suggest the above-recited feature. The combination of Buxton and Swift, at best, suggests applying the mask taught by Buxton to the stereoscopic image taught by Swift. However, since the mask is not stereoscopic multiple image data which correspond respectively to the *multiple viewpoints*, its application to the alleged stereoscopic image does not produce a new stereoscopic image in such a manner that another three-dimensional stereoscopic image appears in front of the range where an original three-dimensional stereoscopic image can be observed, as recited in claim 4.

For at least the foregoing reasons, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 4. Claim 11 has been amended to include features similar to

Application No.: 10/804,199

the above-recited features of claim 4. Therefore, for at least the reasons presented above with respect to claim 4, Applicants respectfully request reconsideration and withdrawal of claim 11.

Claim Rejections - 35 U.S.C. § 103(a)

Claims 5, 6, and 12-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Swift in view of U.S. Patent Application Publication Number 2003/0009669 ("White"). Claims 7 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Swift in view of White, further in view of U.S. Patent Number 6,185,686 ("Glover"). Claims 16-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Swift in view of White, further in view of U.S. Patent Number 6,771,888 ("Cookson"). Applicants respectfully traverse.

Claims 5-7 and 12-19 variously depend from claims 3 and 10. Therefore, they are believed to be allowable for at least the reason of their dependency from claims 3 and 10.

Conclusion

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below. If this application is not allowed, Applicants respectfully request this Amendment be entered, as it substantially reduces the issues for appeal.

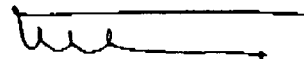
To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

Application No.: 10/804,199

including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Babak Akhlaghi
Limited Recognition No. L0250

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 BA:BPC:MWE
Facsimile: 202.756.8087
Date: February 4, 2009

**Please recognize our Customer No. 20277
as our correspondence address.**

WDC99 1681286-1.065933.0077